UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/588,741	10/30/2007	Xiaobao Chen	RJENK41.007APC	9666

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EXAMINER
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ART UNIT	PAPER NUMBER
2477	

NOTIFICATION DATE	DELIVERY MODE
01/14/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcartee@kmob.com
efiling@kmob.com
eOAPilot@kmob.com

PTOL-90A (Rev. 04/07)

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>27 December 2010</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☒ The period for reply expires <u>4</u> months from the mailing date of the final rejection.

   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

      Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b) ☐ They raise the issue of new matter (see NOTE below);

   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

      NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: *1-25*.

   Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>

12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____

13. ☐ Other: _____.

/Chirag G Shah/
Supervisory Patent Examiner, Art Unit 2477

Continuation of 11. does NOT place the application in condition for allowance because: 1.) In pages 6-7 of Applicant's Remarks, regarding amended independent claims 1 and 14, Applicant mentions that the prior art i.e. Soliman et al. does not disclose a method of operating a network entity at an intermediate node between a mobile node in a foreign network and a correspondent node, the method comprising "tunnelling, in a session between the correspondent node and the mobile node, one or more session packets from the correspondent node to the network entity, wherein the session packets have the correspondent node address as the source address and the care-of address as the destination address," and "forwarding the decapsulated session packets to the mobile node."

However, the Examiner respectfully disagrees to the above statements of the Applicant as Soliman et al. clearly teach a method of operating a network entity at an intermediate node between a mobile node in a foreign network and a correspondent node (see page 11, Fig.1, block MAP for the network entity, AR1/AR2 in Fig.1 for an intermediate node and see Fig.1, MN/mobile node, CN/correspondent node and see page 11, lines 7-15) and as already mentioned for claim 5 rejection in the final office action sent on 08/27/2010, the reference Jung teaches a method wherein the session packets are tunneled from the correspondent node to the network entity and decapsulated prior to being forwarding to the mobile node (see page 2, para [0017] wherein the correspondent node transmitting data packet encapsulated with a tunneling IP header to a foreign agent/network entity and the foreign agent/network entity decapsulating the data packet & forwarding the decapsulated data packet to the mobile node are mentioned) and as already mentioned for claim 4 rejection in the final office action, the reference Aura teaches a method comprising receiving the packets in a session between the correspondent node and the mobile node, with the correspondent node address as the source address and the care-of address as the destination address (see page 2, para [0026]) and thus Soliman et al., Aura and Jung all together teach all the limitations of the amended claim 1.

2.) The teaching of Jung from the above section 1 is also applicable to the amended claim 14.

3.) In page 7 of Applicant's Remarks, regarding amended independent claim 10, Applicant mentions that the cited art does not disclose individually or collectively the combination of elements recited in Claim 10, as amended and for example, the cited art does not disclose at least those features discussed above with regard to Claim 1 and Soliman.

However, the Examiner respectfully disagrees to the above statements of the Applicant as Soliman et al. clearly teach a method (see Abstract and Fig.1 on page 11)of operating a network entity (see page 11, Fig.I, block MAP for a network entity) at an intermediate node (see AR1/AR2 in Fig.1 and page 11, lines 13-15) between a mobile node in a foreign network (see MN in Fig.1 and page 11, lines 7-8) and a correspondent node (see page 11, CN in Fig.I), the method comprising: allocating a secondary care of address to the network entity (see page 19, section 6 i.e. protocol operation, wherein forming secondary care of address/RCoA on MAP's/network_entity's link is mentioned and see page 21, lines 2-5 wherein the local BU to the MAP including secondary care ofaddress/RCoA is mentioned); and receiving from the correspondent node a packet addressed to the secondary care of address to the network entity (see page 23, lines 3-4 wherein the MAP/network entity receiving packets addressed to the secondary care ofaddress/RCoA from the correspondent node is mentioned) and Soliman et al. further teach the method wherein the packet is a session packet in a session between the correspondent node and the mobile node, and the network entity forwards the session packet to the mobile node (see page 23, lines 4-6),

and Aura teaches the method comprising having a correspondent node address as the source address in the packet receiving from the correspondent node (see pages 2-3, para [0026]),

and Jung teaches the method wherein the session packet is tunneled from the correspondent node to the network entity and the network entity decapsulates the session packet prior to forwarding the decapsulated session_packet to the mobile node (see page 2, para [0017] wherein the correspondent node transmitting data packet encapsulated with a tunneling IP header to a foreign agent/network entity and the foreign agent/network entity decapsulating the data packet & forwarding the decapsulated data packet to the mobile node are mentioned) and thus Soliman et al., Aura and Jung all together teach all the limitations of the amended claim 10.